

106TH CONGRESS
1ST SESSION

H. R. 2658

To provide that the Commissioner of Food and Drugs shall by regulation require over the counter drug sunscreen products to include an expiration date and storage recommendations on their label.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1999

Mr. CROWLEY (for himself, Mrs. MALONEY of New York, Mr. McNULTY, Ms. MCKINNEY, Mr. MCGOVERN, and Ms. LEE) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide that the Commissioner of Food and Drugs shall by regulation require over the counter drug sunscreen products to include an expiration date and storage recommendations on their label.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Sunscreen,
5 Healthy Skin Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) According to the American Cancer Society,
2 over 800,000 new skin cancer cases of highly curable
3 basal cell or squamous cell cancers are diagnosed per
4 year.

5 (2) In 1995, over 34,100 persons were diag-
6 nosed with melanoma, the most serious type of skin
7 cancer. Since 1973, the incidence rate of melanoma
8 has increased about 4 percent per year. An addi-
9 tional 16,000 invasive nonmelanoma skin cancer
10 cases occurred in 1995, mostly sarcomas, including
11 Kaposi's sarcoma.

12 (3) Approximately 9,300 deaths occurred in
13 1995, 7,200 from malignant melanoma and 2,100
14 due to other skin cancers. According to the Amer-
15 ican Cancer Society's "Cancer Facts & Figures—
16 1995" the best ways to prevent skin cancer are as
17 follows: "The sun's ultraviolet rays are the strongest
18 between 10 a.m. and 3 p.m., exposure at these times
19 should be avoided, and protective clothing should be
20 worn."

21 (4) Because of the possible link between severe
22 sunburns in childhood and greatly increased risk of
23 melanoma in later life, children, in particular, should
24 be protected from the sun.

1 (5) Considering that half of all new cancers are
2 skin cancers, malignant melanoma, the deadliest
3 form of skin cancer, will claim over 7,300 lives this
4 year, 1,200 people will die from other forms of skin
5 cancer, and an estimated 1,000,000 new cases of
6 skin cancer were diagnosed in the United States in
7 1996, this Act takes on a special urgency.

8 (6) Sunscreen products have an effectiveness
9 life of 3 to 5 years. In light of how important these
10 products are in combating skin cancer, it is appro-
11 priate that the consumer know that sunscreen is not
12 protective against the sun's rays after a certain
13 point. This especially becomes true with children's
14 sunscreen, as young people tend to be more severely
15 burned and are in greater danger than adults.

16 **SEC. 3. LABELING.**

17 (a) EXPIRATION DATE AND STORAGE RECOMMENDA-
18 TIONS.—The Commissioner of Food and Drugs shall re-
19 quire over the counter drug sunscreen products which are
20 designed to screen the ultra violet rays of the sun on indi-
21 viduals who use the products to include on the label of
22 the products a date beyond which the product is not an
23 effective screen of such rays and recommendations for the
24 storage of the products to avoid reducing the effectiveness
25 of the products.

1 (b) ENFORCEMENT.—For purposes of the Federal
2 Food, Drug, and Cosmetic Act, an over the counter drug
3 sunscreen product which does not contain the date and
4 storage recommendations required by regulations under
5 subsection (a) shall be considered to be a misbranded
6 drug.

7 **SEC. 4. EFFECTIVE DATE.**

8 This Act shall take effect on the first day of January
9 next succeeding the date of its enactment.

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